

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

SANDRA B. TOODLE,

Plaintiff,

vs.

Civil Action 2:05-cv-521
Judge Frost
Magistrate Judge King

FIRST LADY, LAURA BUSH, et al.,

Defendants.

REPORT AND RECOMMENDATION

Plaintiff Sandra B. Toodle has submitted for filing a civil complaint, and seeks leave to proceed without prepayment of fees or costs. 28 U.S.C. §1915(a).

The complaint names as defendant the "First Lady, Laura Bush," and alleges that the defendant, in concert with others, unlawfully detained plaintiff, assaulted her and rendered her homeless.

An action instituted under the provisions of 28 U.S.C. §1915(a) may be dismissed *sua sponte* and without notice if the action is based on an indisputably meritless legal theory or baseless factual allegation. *Denton v. Hernandez*, 504 U.S. 25, 32-33 (1992); *Neitzke v. Williams*, 490 U.S. 319, 325 (1989). The allegations contained in the complaint are incomprehensible, fantastic and apparently delusional. Accordingly, it is **RECOMMENDED** that the petition be **DISMISSED**.

If any party seeks review by the District Judge of this *Report and Recommendation*, that party may, within ten (10) days, file and serve on all parties objections to the *Report and Recommendation*, specifically designating this *Report and Recommendation*, and the part thereof in question, as well as the basis for objection thereto. 28 U.S.C. §636(b)(1); F.R. Civ. P. 72(b). Response to objections must be filed within ten (10) days after being served with a copy thereof. F.R. Civ. P. 72(b).

The parties are specifically advised that failure to object to the *Report and Recommendation* will result in a waiver of the right to *de novo* review by the District Judge and of the right to appeal the decision of the District Court adopting the *Report and Recommendation*. See *Thomas v. Arn*, 474 U.S. 140 (1985); *Smith v. Detroit Federation of Teachers, Local 231 etc.*, 829 F.2d 1370 (6th Cir. 1987); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

May 25, 2005
(Date)

s/Norah McCann King
Norah McCann King
United States Magistrate Judge